

STEPHANIE ALEXIS MELENDEZ and ERIC CRUZ, Petitioner(s) Plaintiff(s)
-against-
THE CITY OF NEW YORK, et al., Defendant(s) Respondent(s)

Attorney: S. CERBIN
Return Date: 07 CV 6511
Index No.:
Assigned Justice:
File #: WITH INDEX NUMBER AND DATE OF FILING ENDORSED THEREON

STATE OF NEW YORK: COUNTY OF NASSAU ss:
THE UNDERSIGNED DEPONENT BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on SEPT. 14, 2007 at 3:50 P.M. at 2794 RANDALL AVENUE BRONX, N.Y. 10465

deponent served the within SUMMONS and COMPLAINT (FILED 7/19/07)

P.O. LEE SMITH

witness/defendant/respondent therein named.

INDIVIDUAL

A ☐ By Personally delivering to and leaving with said individual, and that he knew the person so served to be the person mentioned and described in said writ. (A fee of \$_____, pursuant to CPLR Section 8001, was tendered to the witness.)

CORPORATION

B ☐ By delivering to and leaving with so served to be the Managing Agent of the corporation, and authorized to accept service. (A fee of \$_____, pursuant to CPLR Section 8001, and that he knew the person was tendered to the witness.)

Service was made in the following manner after your deponent was unable with due diligence to serve the witness/defendant/in person:

SUITABLE AGE PERSON

C ☒ By delivering a true copy thereof to and leaving with a person of suitable age and discretion, the said premises being the defendants/respondents (dwelling place)(usual place of abode)(place of business) within the State of New York. (A fee of \$_____, pursuant to CPLR Section 8001, was tendered to the witness.) P.O. LEE (SHIELD# 3087)

AFFIXING TO DOOR, ETC.

D ☐ By affixing a true copy thereof to the door of said premises, the same being the defendant's (dwelling place)(usual place of abode)(place of business) within the State of New York. (A fee of \$_____, pursuant to CPLR Section 8001, was tendered to the witness.)

MAILING

Use with C or D

E ☒ On SEPT. 24, 2007 Deponent completed said service under the last two sections by mailing a copy of the above named process by First Class Mail addressed to the defendant/witness to the above address of service which is defendant's:
☐ Last known residence
☒ Last known place of business (additional endorsement of Personal and Confidential on face of envelope.)
☐ RPAPL 735 An additional mailing by Certified Mail was made to the respondent at the premise sought to be recovered

PREVIOUS ATTEMPTS

Use with D

F ☐ Deponent previously attempted to serve the above named defendant/respondent on the below dates and times:

ORL Sec. 232

G ☐ The required notice was legibly printed on the face of the summons. I identified the defendant by a photograph annexed hereto which was provided by the plaintiff.

VOID WITHOUT DESCRIPTION Use with A, B & C

A DESCRIPTION OF THE DEFENDANT OR OTHER PERSON SERVED ON BEHALF OF THE DEFENDANT IS AS FOLLOWS.

- | | | | | | | |
|--|--|--|-------------------------------------|--|---|--|
| <input checked="" type="checkbox"/> Male | <input type="checkbox"/> White Skin | <input checked="" type="checkbox"/> Black Hair | <input type="checkbox"/> White Hair | <input type="checkbox"/> 14-20 Yrs. | <input type="checkbox"/> Under 5' | <input type="checkbox"/> Under 100 Lbs |
| <input type="checkbox"/> Female | <input checked="" type="checkbox"/> Black Skin | <input type="checkbox"/> Brown Hair | <input type="checkbox"/> Balding | <input checked="" type="checkbox"/> 21-35 Yrs. | <input type="checkbox"/> 5'0" - 5'3" | <input type="checkbox"/> 100 - 130 Lbs |
| | <input type="checkbox"/> Yellow Skin | <input type="checkbox"/> Blond Hair | | <input type="checkbox"/> 36-50 Yrs. | <input type="checkbox"/> 5'4" - 5'8" | <input type="checkbox"/> 131 - 160 Lbs |
| <input type="checkbox"/> Glasses | <input type="checkbox"/> Brown Skin | <input type="checkbox"/> Gray Hair | <input type="checkbox"/> Mustache | <input type="checkbox"/> 51-65 Yrs. | <input checked="" type="checkbox"/> 5'9" - 6'0" | <input type="checkbox"/> 161 - 200 Lbs |
| | <input type="checkbox"/> Red Skin | <input type="checkbox"/> Red Hair | <input type="checkbox"/> Beard | <input type="checkbox"/> Over 65 Yrs. | <input type="checkbox"/> Over 6' | <input type="checkbox"/> Over 200 Lbs |

Other Identifying Features:

Deponent asked the person spoken to whether the defendant was presently in the military service of the United States Government or on active duty in the military service in the State of New York and was informed he was not. Your deponent further says that he knew the person so served to be the person mentioned and described in said legal papers as defendant/respondent therein. Your deponent is over the age of 18 years and is not a party to this action.

before me this 24 day of SEPTEMBER 2007
Francine L. Betron
(Notary Public)

FRANCINE BETRON
Notary Public, State of New York
No. 30-4950028
Qualified in Nassau County
Commission Expires April 24, 2011

PLEASE PRINT NAME BELOW SIGNATURE
Francine L. Betron
License No. 1046423